

Serial No.: 09/479,877

Examiner: PORTNER, Virginia Allen

Filed: 10 January 2000

Atty. Docket: 034047.033 (WRAIR 95-01B)

For: TRANSFORMED BACTERIA PRODUCING CS6 ANTIGENS AS VACCINES

AFFIDAVIT OF EMMA GILMORE

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I, Emma Gilmore of Smith, Gambrell & Russell, LLP, declare that:

1. I am a secretary with Smith, Gambrell & Russell.
2. On 2 April 2004, I entered the USPTO submission for the above-referenced application in Smith, Gambrell & Russell's USPTO log book. A copy of the log book page with the entry is attached as Exhibit A.
3. I erroneously entered the identifying information (Item 6 of the log book) on a line which had a portion filled in for a previously entered case (Item 5 of the log book).
4. As a result, I entered the items being submitted on the following line and drew an arrow showing that those items belonged to the entry above.
5. Thus, the log book entry for the above-referenced case on 2 April 2004 is as follows:
 - a. Item # = 6
 - b. Attorney # = 1131
 - c. Client # = 034047
 - d. Matter # = 0332
 - e. Inventor/Mark = Wolf
 - f. App# Serial # = 09/479,877
 - g. List of All Documents Attached to be Filed = Copy of Notice to File Corrected Appl. Papers; Abstract; Postcard
6. I erroneously forgot to enter "Response to File Corrected Application Papers" in the log book as one of the documents that was filed on 2 April 2004 in the above-referenced case. A copy of the Response is attached as Exhibit B.
7. Although I forgot to enter the "Response to File Corrected Application Papers" in the log book, I secured it with the other documents noted in paragraph 6g above that were deposited with the USPTO on 2 April 2004. Therefore, the actual document entitled "Response to File Corrected Application Papers" was indeed submitted to the USPTO for entry in the above-referenced application on 2 April 2004.
8. I declare that all statements made herein of my own knowledge are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18

SGRDC/217570.1

Suzannah K. Sundby
Suzannah K. Sundby

07/06/04
Date

Certificate Mailing or Transmission under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-0553.

Date:

0 July 2004

Suzannah K. Sundby
Suzannah K. Sundby

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Means of _____ for delivery to the USPS today.

picked-up a total of _____ items for delivery to the USPTO today.

The PTO Mail Clerk returned

I wrote my initials on the postcards and gave them to the firm's Doctor Clerk.

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